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4 BILL NO. S-77-01-27.

5 SPECIAL ORDINANCE NO. S- 30-77

6 AN ORDINANCE approving a contract  
7 with Griffin Enterprises, Inc., for  
Resolution No. 5749-1976.

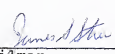
8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
9 WAYNE, INDIANA:

10 SECTION 1. That the contract dated January 10, 1977,  
11 between the City of Fort Wayne, by and through its Mayor and the  
12 Board of Public Works and Griffin Enterprises, Inc., for:

13 Resolution No. 5749-1976: to demolish building  
14 structures and clearing site at Street Department,  
231 S. Clinton St., Fort Wayne, IN.,

15 for a total cost of \$12,610.00, all as more particularly set forth  
16 in said contract which is on file in the Office of the Board of  
17 Public Works and is by reference incorporated herein, made a part  
18 hereof and is hereby in all things ratified, confirmed and  
19 approved.

20 SECTION 2. This Ordinance shall be in full force and  
21 effect from and after its passage and approval by the Mayor.  
22  
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29   
30 \_\_\_\_\_  
Councilman

31  
32 APPROVED AS TO FORM  
33 AND LEGALITY.  
34   
35 \_\_\_\_\_  
CITY ATTORNEY

Read the first time in full and on motion by Hinga, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Annex (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: 1-25-77

Charles W. Whitman  
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage.  
PASSED (POST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	✓				
HINGA	✓				
HUNTER	✓				
MOSES	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
STIER	✓				
TALARICO	✓				

DATE: 2-8-77

Charles W. Whitman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. 230-77 on the 8th day of Feb, 1976.

ATTEST: (SEAL)

Charles W. Whitman  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of February, 1976, at the hour of 11:00 o'clock AM, E.S.T.

Charles W. Whitman  
CITY CLERK

Approved and signed by me this 10th day of February, 1976, at the hour of 8:30 o'clock AM, E.S.T.

Robert E. Clum  
MAYOR

Bill No. S-77-01-27

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
approving a contract with Griffin Enterprises, Inc., for Resolution

No. 5749-1976

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

WILLIAM T. HINGA - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

PAUL M. BURNS

FREDRICK HUNTER

*William T. Hinga*

*James S. Stier*

*Vivian G. Schmidt*

*Paul M. Burns*

*Fredrick Hunter*

2-8-77 CONCURRED IN  
DATE 2-8-77 CHARLES W. WESTERMAN, CITY CLERK

# Memorandum

To Board of Works

Date Dec. 15, 1976

From Kenneth N. Traylor - Street Engineering Department

Subject Bids - Resolution No. 5749-1976 - Building Demolition Old Fort Parking Lot

## COPIES TO:

H. Biggs

J. Nolan

The bids received on Resolution No. 5749-76 for Demolition and Site Clearance for Old Fort Parking Lot have been tabulated.

Gordon Landscape bid was considered improper because of the following:

1. Form 96-A was not submitted
2. Unauthorized interlineations
3. No certificate regarding Equal Employment Opportunity
4. No financial and experience statement

Street Engineering recommends that the Contract be awarded to Griffin Enterprises, Inc. in the amount of \$12,610.00, which is \$390.00 below the Engineer's Estimate.

The Allen County Commissioners and Fort Wayne Building Department have verified Griffin Enterprises as being a responsible and acceptable firm.

*Kenneth N. Traylor*  
Kenneth N. Traylor

KNT:ms

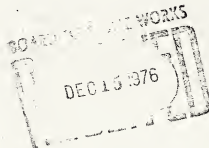
NOTED

DEC 15 1976

DEC 15 1976

DEC 15 1976

DEC 15 1976



12/20/76

OFFICE OF CITY ENGINEER  
FORT WAYNE INDIANA

OFFICE OF CITY ENGINEER  
FORT WAYNE INDIANA

6-16-20 1/10/77  
CITY PAID  
SUBJECT TO COUNCILMANIC  
APPROVAL  
PRELIMINARY MEETING \_\_\_\_\_  
RATIFICATION \_\_\_\_\_

# CONTRACT

This Agreement, made and entered into this 10 day of January, 1977

by and between \_\_\_\_\_

-----GRIFFIN ENTERPRISES, INC.-----

hereinafter called "Contractor" and the City of Fort Wayne, Indiana, a municipal corporation, hereinafter called "City," under and by virtue of an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," approved March 6, 1905, and all amendatory and supplementary acts thereto, WITNESSETH: That the Contractor covenants and agrees to ~~im~~

~~execute~~ Resolution No. 5749-1976: to demolish building structures and clearing site  
at Street Department, 231 S. Clinton St., Fort Wayne, IN.

by grading and paving the premises to a width of 15000 feet with \_\_\_\_\_

upon a foundation and with curbing as fully set out in the specifications hereinafter referred to, in a good and workmanlike manner and to the entire satisfaction of said City, in accordance with Improve-

ment Resolution No. 5749-1976 and at the following price ~~per item~~

DESCRIPTION	ITEMS WITH BID PRICES	UNIT PRICE
	WRITTEN IN WORDS	DOLLS. & CENTS
Brick Building No. 1 including Wood Shed	Three Thousand Five Hundred Dollars	\$3,500.00
Brick Building No. 2	Six Hundred Fifty Dollars	650.00
Brick Building No. 3	Two Thousand Fifty Dollars	2,050.00
Loading Ramp	One Thousand Three Hundred Seventy Five Dollars	1,375.00
Underground Gas Tanks and Pumps Including Island	Two Thousand Seven Hundred Fifty Dollars	2,750.00
Chain Link Fence on the East & West Property Lines	Four Hundred Ten Dollars	410.00
Concrete Foundation Wall	One Thousand Eight Hundred Seventy Five Dollars	1,875.00

TOTAL BID \$12,610.00 Twelve Thousand Six Hundred Ten Dollars

The Contractor will furnish immediately a certificate from the Industrial Board of the State of Indiana, that he has complied with Sections 5, 68, 69 of the Workmen's Compensation Act, approved March 14, 1929, in accordance with Section 14 of the Compensation Act (Acts 1929, page 545, being Section 9459 of Burns Annotated Statutes, Volume IV). (Section 40-1214 Burns Annotated 1952 Revision- Volume VIII).

A copy of General Ordinance No. G-60-66, Concerning Discriminating in employment under municipal contracts, is attached and incorporated herein by reference.

# GUARANTY BOND

Know All Men by These Presents, That we \_\_\_\_\_  
-----GRIFFIN ENTERPRISES, INC.----- Contractors

as principal, and \_\_\_\_\_

-----AMERICAN STATES INSURANCE COMPANY OF INDIANAPOLIS, INDIANA----- as surety

are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of TWELVE THOUSAND  
SIX HUNDRED TEN DOLLARS-----

----- (\$ 12,610.00)  
for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs,  
executors, administrators and assigns firmly by these presents.

The conditions of the above obligation are, that whereas the said \_\_\_\_\_

-----GRIFFIN ENTERPRISES, INC.-----

did on the 29th day of December  
1976, enter into a contract with the City of Fort Wayne ~~to construct~~  
~~XXXXXXX~~ XXXXXXX ~~XXXXXXX~~

on Resolution No. 5749-1976 ~~XXXXXXX~~ to demolish building structures  
and clearing site at Street Department, 231 S. Clinton St., Fort Wayne, IN.

\_\_\_\_\_ according to certain plans and specifications, and  
\_\_\_\_\_ for a period of three years  
also warranting and guaranteeing the work/ material and ~~construction of the pavement~~ thereof as provided  
in aforesaid contract and specifications. Now if the said GRIFFIN ENTERPRISES, INC.

\_\_\_\_\_ shall faithfully perform and fulfill all the require-  
ments of said warranty and guaranty, and make all repairs required under said guarantee, and in the  
manner provided for, then this bond to be null and void, otherwise to be in full force and effect.

WITNESS our hands and seals this 29th day of December 1976

AMERICAN STATES INSURANCE CO.

GRIFFIN ENTERPRISES, INC. (SEAL)

By: Fred L. Pastmeyer

BY: John A. Russell (SEAL)

Its: Attorney-in-Fact

ITS: Pres. (SEAL)

Approved this 10 day of January, 1977

Henry P. Wehrhberg

Edward W. Garrison

May G. Scott

Board of Public Works.



# LIABILITY BOND

Know All Men by These Presents, That we \_\_\_\_\_

-----GRIFFIN ENTERPRISES, INC.-----

as principal, and ----AMERICAN STATES INSURANCE COMPANY OF INDIANAPOLIS, INDIANA----

as surety, are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of -----

-----TWELVE THOUSAND SIX HUNDRED TEN DOLLARS-----

for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs, executors, administrators and assigns firmly by these presents.

----- (\$12,610.00)

The conditions of the above obligation are such, that if the above named party of the first part shall

faithfully comply with the foregoing contract made and entered into the 29th

December, 1976

day of \_\_\_\_\_, with the City of Fort Wayne, Indiana, and shall faithfully fulfill all the conditions and stipulations therein contained, except the warranty and guaranty of the pavement as to the workmanship, material and conditions for the period of three(3) years, according to the true intent and meaning thereof in all respects, then this obligation to be void, otherwise to be and remain in full force and virtue in law and in the event the said City shall extend the time for the completion of said work, such extension shall not in any way release the sureties on this bond.

WITNESS our hands and seals this 29th day of December, 1976

AMERICAN STATES INSURANCE CO.

GRIFFIN ENTERPRISES, INC. (SEAL)

By: Fred L. Tagmeyer

BY: Glen A. Duinell (SEAL)

Fred L. Tagmeyer

ITS: Per (SEAL)

Its: Attorney-in-Fact

(SEAL)

Approved this 10 day of January, 1977

Henry P. Wehrberg

Evel H. LaMar

May G. Scott

Board of Public Works.

COMPLETED IN STREET ENGINEERING DEPARTMENT

DECEMBER 17, 1976



# American States Insurance Company

## INDIANAPOLIS, INDIANA

KNOW ALL MEN BY THESE PRESENTS, that American States Insurance Company, a Corporation duly organized and existing under the laws of the State of Indiana, and having its principal office in the City of Indianapolis, Indiana, hath made, constituted and appointed, and does by these presents make, constitute and appoint GERALD C. KRAMER, BERNARD M. NIEZER,

LOUIS H. ANDREWS, CURTIS C. HILL, GERALD C. KRAMER, JR., FRED L. TAGTMEYER, AND

WAITER E. MANSKE ----- (Jointly or Severally) -----

of Ft. Wayne and State of Indiana  
its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, contracts of indemnity and other conditional or obligatory undertakings,

provided, however, that the penal sum of any one such instrument executed hereunder

shall not exceed TWO MILLION AND NO/100 (\$2,000,000.00) DOLLARS-----

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the common seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. This Power of Attorney is executed and may be revoked pursuant to and by authority granted by Section 7.07 of the By-Laws of the American States Insurance Company, which reads as follows:

"The Chairman of the Board, the President or any Vice-President shall have power, by and with the concurrence with the Secretary or any Assistant Secretary of the Corporation, to appoint Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact as the business of the Corporation may require or to authorize any one of such persons to execute, on behalf of the Corporation, any bonds, recognizances, stipulations and undertakings, whether by way of surety or otherwise"

IN WITNESS WHEREOF, American States Insurance Company has caused these presents to be signed by its Vice-President,

attested by its Assistant Secretary and its corporate seal to be hereto affixed this 25th day of September

A. D. 19 75

AMERICAN STATES INSURANCE COMPANY

(SEAL)

By William M. Evans  
Second Vice-President

ATTEST: Stanley L. Riegel  
Assistant Secretary

STATE OF INDIANA } SS:  
COUNTY OF MARION }

On this 25th day of September, A. D. 19 75, before me personally came

William M. Evans

, to me known, who  
being by me duly sworn, acknowledged the execution of the above instrument and did depose and say; that he is Vice-President of American States Insurance Company; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation; and that he signed his name

thereto by like order. And said William M. Evans further said that he is acquainted with Stanley L. Riegel and knows him to be the Assistant Secretary of said Corporation; and that he executed the above instrument.

January 10, 1977

My Commission Expires

Debra Kay Driscoll

Notary Public

STATE OF INDIANA }  
COUNTY OF MARION } SS:

I, Stanley L. Riegel, the Assistant Secretary of AMERICAN STATES INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said AMERICAN STATES INSURANCE COMPANY, which is still in full force and effect.

This Certificate may be signed and sealed by facsimile under and by the authority of the following resolution of the Board of Directors of American States Insurance Company at a meeting duly called and held on the 15th day of December 1972.

"RESOLVED: That the use of a printed facsimile of the corporate seal of the company and of the signature of an Assistant Secretary on any certification of the correctness of a copy of an instrument executed by the President or a Vice-President pursuant to Section 7.07 of the By-Laws appointing and authorizing an Attorney-in-Fact to sign in the name and on behalf of the company surety bonds, underwriting undertakings or other instruments described in said Section 7.07, with like effect as if such seal and such signature had been manually affixed and made, hereby is authorized and approved."

In witness whereof, I have hereunto set my hand and affixed the seal of said Corporation, this 29th

day of December, A. D., 19 76

(SEAL)

Stanley L. Riegel  
Assistant Secretary

3506

TITLE OF ORDINANCE SPECIAL ORDINANCE - Contract of Griffin Enterprises, Inc. - Res. 5749-

1976

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS

*J-77-01-27.*

SYNOPSIS OF ORDINANCE Contract with Griffin Enterprises, Inc. in amount of

\$12,610.00 covers demolition and site clearance of former Street Department

location at 231 South Clinton in order to provide parking area for Old Fort.

This was the low of three accepted bids. The bid of Gordon Landscape was not

acceptable as it did not provide financial statement, equal employment statement

as well as including unauthorized interlineations.

(SEE TABULATION ATTACHED)

EFFECT OF PASSAGE Completion of demolition and site clearing for proposed Old Fort

Parking Lot to be constructed under Resolution 5747-1976

EFFECT OF NON-PASSAGE Inability to construct parking lot

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Cost to City from Revenue

Sharing - \$12,610.00

ASSIGNED TO COMMITTEE

*Slings*